

Union Calendar No. 409

104TH CONGRESS
2D SESSION

H. R. 2518

[Report No. 104-764]

To authorize the Secretary of Agriculture to exchange certain lands in the Wenatachee National Forest, Washington, for certain lands owned by Public Utility District No. 1 of Chelan County, Washington, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 20, 1995

Mr. HASTINGS of Washington introduced the following bill; which was referred to the Committee on Resources

SEPTEMBER 4, 1996

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on October 20, 1995]

A BILL

To authorize the Secretary of Agriculture to exchange certain lands in the Wenatachee National Forest, Washington, for certain lands owned by Public Utility District No. 1 of Chelan County, Washington, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. LAND EXCHANGE.**

2 (a) *EXCHANGE*.—Subject to subsection (c), the Sec-
 3 retary of Agriculture (referred to in this section as the “Sec-
 4 retary”) shall convey all right, title, and interest of the
 5 United States in and to the National Forest System lands
 6 described in subsection (b)(1) to Public Utility District No.
 7 1 of Chelan County, Washington (referred to in this section
 8 as the “Public Utility District”), in exchange for the con-
 9 veyance to the Department of Agriculture by the Public
 10 Utility District of all right, title, and interest of the Public
 11 Utility District in and to the lands described in subsection
 12 (b)(2).

13 (b) *DESCRIPTIONS OF LANDS*.—

14 (1) *NATIONAL FOREST SYSTEM LANDS*.—The Na-
 15 tional Forest System lands referred to in subsection
 16 (a) are 122 acres, more or less, that are partially oc-
 17 cupied by a wastewater treatment facility referred to
 18 in subsection (c)(4)(A) with the following legal de-
 19 scription:

20 (A) *The NE^{1/4} of SW^{1/4} of section 27 of*
 21 *township 27 north, range 17 east, Willamette*
 22 *Meridian, Chelan County, Washington.*

23 (B) *The N^{1/2} of SE^{1/4} of SW^{1/4} of such sec-*
 24 *tion 27.*

25 (C) *The W^{1/2} of NW^{1/4} of SE^{1/4} of such sec-*
 26 *tion 27.*

1 (D) *The NW^{1/4} of SW^{1/4} of SE^{1/4} of such*
 2 *section 27.*

3 (E) *The E^{1/2} of NW^{1/4} of the SE^{1/4} of such*
 4 *section 27.*

5 (F) *That portion of the S^{1/2} of SE^{1/4} of*
 6 *SW^{1/4} lying north of the northerly edge of High-*
 7 *way 209 right-of-way of such section 27.*

8 (2) *PUBLIC UTILITY DISTRICT LANDS.—The*
 9 *lands owned by the Public Utility District are 109.15*
 10 *acres, more or less, with the following legal descrip-*
 11 *tion:*

12 (A) *S^{1/2} of SW^{1/4} of section 35 of township*
 13 *26 north, range 17 east, Willamette Meridian,*
 14 *Chelan County, Washington.*

15 (B) *The area specified by Public Utility*
 16 *District No. 1 as Government Lot 5 in such sec-*
 17 *tion 35.*

18 (c) *REQUIREMENTS FOR EXCHANGE.—*

19 (1) *TITLE ACCEPTANCE AND CONVEYANCE.—*
 20 *Upon offer by the Public Utility District of all right,*
 21 *title, and interest in and to the lands described in*
 22 *subsection (b)(2), if the title is found acceptable by the*
 23 *Secretary, the Secretary shall accept title to such*
 24 *lands and interests therein and shall convey to the*
 25 *Public Utility District all right, title, and interest of*

1 *the United States in and to the lands described in*
2 *subsection (b)(1).*

3 (2) *APPRAISALS REQUIRED.—Before making an*
4 *exchange pursuant to subsection (a), the Secretary*
5 *shall conduct appraisals of the lands that are subject*
6 *to the exchange to determine the fair market value of*
7 *the lands. Such appraisals shall not include the value*
8 *of the wastewater treatment facility referred to in*
9 *paragraph (4)(A).*

10 (3) *ADDITIONAL CONSIDERATION.—If, on the*
11 *basis of the appraisals made under paragraph (1), the*
12 *Secretary determines that the fair market value of the*
13 *lands to be conveyed by one party under subsection*
14 *(a) is less than the fair market value of the lands to*
15 *be conveyed by the other party under subsection (a),*
16 *then, as a condition of making the exchange under*
17 *subsection (a), the party conveying the lands with the*
18 *lesser value shall pay the other party the amount by*
19 *which the fair market value of the lands of greater*
20 *value exceeds the fair market value of the lands of*
21 *lesser value.*

22 (4) *CONVEYANCE OF WASTEWATER TREATMENT*
23 *FACILITY.—(A) As part of an exchange made under*
24 *subsection (a), the Secretary shall convey to the Pub-*
25 *lic Utility District of Chelan County, Washington, all*

1 *right, title, and interest of the United States in and*
2 *to the wastewater treatment facility (including the*
3 *wastewater treatment plant and associated lagoons)*
4 *located on the lands described in subsection (b)(1)*
5 *that is in existence on the date of the exchange.*

6 *(B) As a condition for the exchange under sub-*
7 *section (a), the Public Utility District shall provide*
8 *for a credit equal to the fair market value of the*
9 *wastewater treatment facility conveyed pursuant to*
10 *subparagraph (A) (determined as of November 4,*
11 *1991), that shall be applied to the United States'*
12 *share of any new or modified wastewater treatment*
13 *facilities constructed by the Public Utility District*
14 *after November 4, 1991.*

15 *(d) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
16 *retary may require such additional terms and conditions*
17 *in connection with the exchange under this section as the*
18 *Secretary determines appropriate to protect the interests of*
19 *the United States.*

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